

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JERRY BOWENS

Plaintiff,

-v.-

Civil Action No.
9:11-cv-784 (GLS/ATB)

JOSEPH T. SMITH, Superintendent;
Shawangunk Correctional Facility

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

JERRY BOWENS
09-A-5598
Plaintiff *Pro Se*
Clinton Correctional Facility
P.O. Box 2002
Dannemora, New York 12929

FOR THE DEFENDANT:

HON. ERIC T. SCHNEIDERMAN
Attorney General of the
State of New York
The Capitol
Albany, New York 12224

RICHARD LOMBARDO, ESQ.
Assistant Attorney General

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Andrew T. Baxter, duly filed December 15, 2014. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Andrew T. Baxter filed December 15, 2014 (Dkt. No. 52) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that defendant's motion for summary judgment (Dkt. No. 48) is GRANTED and the complaint is DISMISSED IN ITS ENTIRETY; and it is further

ORDERED that the Clerk close this case and provide a copy of this Order to the parties in accordance to the local rules.

IT IS SO ORDERED.

Dated: January 16, 2015
Albany, New York


Gary L. Sharpe
Chief Judge
U.S. District Court